IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1743 OF 2007

1.Mangal Dinkar Madake, &
2.Dinkar Dagadu Madake. ...Applicants.

Versus

The State of Maharashtra ...Respondent.

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Mr.V.S.Talkute, Adv. for the Applicants.
Mr.S.S.Pednekar, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 13th June, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned APP for the State.

2. The applicants are seeking anticipatory bail in C.R.No.55 of 2007 of Panhala Police Station. The said case is under Sections 498-A, 306 read with 34 of IPC.

3. Applicant No.1 Mangal was the sister of the husband of deceased - Sangeeta. Applicant No.2-Dinkar is the husband of applicant No.1 Mangal. It is the case of the prosecution that Jagannath the husband of deceased Sangeeta was making demand

of Rs.2 lakhs for getting service and he used to harass Sangeeta as this demand was not fulfilled. It is the case of the prosecution that the applicants instigated Jagannath to make the said demand. Being fed up with the harassment, Sangeeta committed suicide by jumping into the well.

4. As far as both these applicants are concerned, the allegations against them are of general nature and no specific role has been attributed to them. As far as applicant No.1 Mangal is concerned she is a lady and she has two minor children. It is an admitted fact that both the applicants were not residing in the vicinity of the house of the deceased. Infact they were not even residing in the same district as they were residing about 300 Kms. away from the house of the deceased. At the time of the incident also, they were not residing with the deceased or nearby, but, they were residing in Satara district whereas the deceased was residing in her matrimonial home at Kolhapur. There is no material to show that there was any immediate act on the part of the applicants which compelled the

deceased Sangeeta to commit suicide.

5. Looking to the vague allegations in the FIR made against the applicants and the above facts of this case, I am inclined to grant anticipatory bail to the applicants.

6. In the event of arrest, the applicants - Mangal Dinkar Madake, and Dinkar Dagadu Madake to be released on bail in the sum of Rs.25,000/- each with one or two sureties to make up the said amount. The applicants shall report to Panhala Police Station every day for 15 days starting from 16th June, 2007 from 10:00 a.m. to 2:00 p.m.; and thereafter once in a month, till conclusion of the trial.

7. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)